

## LIVABLE DELAWARE ADVISORY COUNCIL MEETING

### MINUTES – MEETING OF SEPTEMBER 9, 2002

#### Council Members Present

Lt. Governor John Carney, Chair  
Peg Baunchalk  
Secretary Nicholas DiPasquale  
Secretary Nathan Hayward  
Randy Marvel  
Robert McLeod  
Michael Scuse  
Robert Stickels  
Lee Ann Walling

#### Others Present:

Charles Baker  
Karley Barnes  
Kevin Coyle  
David Edgell  
Connie Holland  
Herb Inden  
Andrea Kreiner  
Kevin McSweeney  
William Narcowich  
Alex Settles

#### Absent:

Richard Anthony  
Senator Patricia Blevins  
Joseph Corrado  
Sherry Freebery  
Paul Morrill  
Richard Pryor  
Marty Ross  
Representative Roger Roy  
Director John Wik  
Rick Woodin

Mr. Carney welcomed everyone to the meeting and asked for subcommittee reports.

#### Subcommittee Reports

Affordable Housing – Andrea Kreiner stated that the committee has met several times and will be bringing six tools to the committee at the November meeting for their approval.

Mr. Hayward noted that he had seen an ad in a recent newspaper; a 6% mortgage rate for houses within walking/biking distance to work.

Mr. Carney stated that he had recently toured several low-income housing areas and that many of the houses were in disrepair or vacant. He asked that the committee look into this issue.

Annexation – Herb Inden stated that the full committee had met two or three times and had broken into two subcommittees; Fiscal Matters and Standards. Each subcommittee has met one time.

Mr. Inden noted that the fiscal committee is looking at the differences in the counties and their fiscal responsibilities. They are also looking into the issue of reimbursement to the county when annexation occurs for infrastructure provided.

Mr. Carney stated that it sounds complex but it boils down to the fact that annexations have a different effect on each county. The City of Wilmington would like more flexibility and New Castle County would like to be more rigid on jurisdictions.

Mr. McLeod asked if the committee was still looking at only New Castle County issues. Herb noted that it was mostly about their issues but that the committee was beginning to expand the issues and that they had discussed adding a representative from Kent County and Sussex County to the committee. Mr. Stickels stated that the issue comes down to why a developer wants to annex.

Mr. Carney stated that the prime issue is land use control and tax base and the second issue is circumventing tougher land use restrictions at county levels.

Mr. Baker stated that annexations should be tied to an efficient planning process and limitations should be set. Mr. Inden stated that the passing of HB255 has juiced up the annexation standards and the state does have more control because there are regulations that must be followed if a municipality annexes. If they are not followed the state can hold permits.

Mr. Carney stated that if legislation were required, he would like to see it done in January. Ms. Walling stated that it couldn't be an upstate vs. downstate bill. Everyone has to agree.

Community Design - Connie Holland stated that the committee has met eight times and they have worked very hard to create a DRAFT Design Manual. A copy was given to everyone present. Ms. Holland stated that they are continuing to work on this manual and hope to have it completed sometime in November.

Ms. Holland stated that the committee would meet this week to begin going through the draft and making changes. Mr. Carney asked how this manual could be translated into guidance or regulations. Ms. Holland stated that her office has been working with developers on site plans. Mr. Stickels stated that if anyone wants to know how the public feels about the community design manual, watch the news on Wednesday because they are reviewing a plan that meets the criteria set forth in the manual.

Dispute Resolution – Ms. Walling stated that Ms. Vanderhoogt is working to set up a meeting of this committee. Ms. Walling explained that the original chair had backed out so she was working to get the committee going.

Green Infrastructure – Mr. DiPasquale stated that Mr. Baker spoke at their July meeting and discussed New Castle County's conservation design. He noted that they also spoke about Community Design and indicators.

The committee continues to work with the Department of Agriculture on a conservation core initiative and a bay-to-bay initiative.

Mr. Baker spoke briefly on their conservation design. He stated that the county is working on open space design standards and conservation easements.

Mr. Carney discussed storm water management ponds and the need to deal with this issue. Mr. Baker stated that they are looking into increasing forest buffers and other options to cut down on the size of the ponds.

Mr. Baker stated that New Castle County is looking at preserving 50% of the 27,000 acres of land between Route 40 and the canal.

Infill and Redevelopment – Andrea Kreiner stated that this subcommittee is in transition. They are working to come up with a definition for infill. They are also working on strengthening the Main Street Program, narrowing which state programs are impediments for infill, and which are incentives.

Ms. Kreiner further stated that they have appointed a subcommittee, Building and Fire Codes, and they hope to have a new set of codes next summer.

Ms. Kreiner stated that brownfields are being looked at through the Governor's office.

Livability Indicators - Since the committee gave their report in June, the technical group has been meeting to identify sources for the indicators.

Mr. Hayward asked what would be done with the indicators. Ms. Walling stated that they would track our progress toward our Livable Delaware goals.

Mr. Carney asked that committee members get with him to discuss what legislation should be planned for January. He would like to get ideas and then bring them back to the committee for consensus.

It was further discussed the many of the members are here because this is their job but membership should be looked at again to determine if new members are needed.

#### State Agency Implementation Plan Progress

Ms. Kreiner gave a handout on the departmental strategies and stated that this matrix is reviewed every six months.

Mr. Carney stated that he feels this should be translated into what the public sees. He explained that while this matrix makes sense to the committee, the public does not see how it is being affected by the changes. The information needs to be turned into something that can show ordinary Delawareans how their concerns are being addressed.

Ms. Kreiner suggested we look at what results will come of these strategies. Mr. Carney stated that we also need to look at what people will see.

Mr. DiPasquale stated that there is a disconnect with civic organizations and that a better job of communicating needs to be done.

Mr. Scuse stated that it will help when the public has information on the new communities to view. Mr. Baker noted that the state attending their council meetings to support good communities will help.

Mr. Stickels commented that school district comments and state police comments are needed to help make decisions. Mr. McLeod stated that they need to know how their decision will affect schools.

### LUPA

Connie Holland stated that the Office of State Planning Coordination has been working on legislations to update the Land Use Planning Act process, allowing the state to see the site plan in the early stages of its development, when comments are most helpful.

Ms. Holland stated that she is working on what needs to go through the process and finalizing the process. Ms. Holland asked for feedback on the bill and stated that she hoped to have it back to the committee in finalized form before January.

### Other Business

Mr. Carney reiterated that anyone having legislative ideas should get in touch with him.

Ms. Holland introduced David Edgell who will begin work with the Office of State Planning on September 16, 2002.

Mr. Narcowich talked about the meetings that New Castle County has been setting up with the umbrella groups. He stated that they are informal meetings to discuss issues. He related that New Castle County is considering revising the UDC to lessen the regulations because of the annexation issues.

Mr. Baker responded that the New Castle County administration will be reviewing the policies relating to environmental issues and levels of service.

Mr. Narcowich talked about the drought and how development is affecting the quantity of water in Delaware. Mr. Carney assured him that several groups are looking into this issue to find solutions. He noted that a drought reserve supply is needed.

The next meeting of the Livable Delaware Advisory Council will be November 18, 2002 in the Paradee Building.

A motion was made by Ms. Baunchalk, seconded by Ms. Scuse and approved by all members present that the meeting be adjourned.

Respectfully submitted,  
Dorothy Morris